

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of**

Takeo Tsukamoto

Serial No.: 10/763,337 **Group Art Unit:** 2822**Filed:** January 26, 2004 **Examiner:** Thanh Y. Tran**For:** MANUFACTURING METHOD OF SEMICONDUCTOR DEVICE

Honorable Commissioner of Patents
Box AF
Alexandria, VA 22313 - 1450

RESPONSE AND APPLICANT'S INTERVIEW SUMMARY

This paper is in response to the April 24, 2006, Office Action and provides a record of the agreement reached with the Examiner during telephone interviews to withdraw the rejections in the April 24, 2006, Office action.

Applicant appreciates the courtesies extended to Applicant's representative during telephone interviews on May 4, 2006, and May 15, 2006.

During the telephone interviews:

1. No exhibit was shown and no demonstration was conducted.
2. No independent claim was discussed.
3. The Tateoka et al. reference was discussed.
4. No amendments were discussed.
5. During the telephone interviews, the Applicant's representative again pointed out that the Tateoka et al. reference clearly does not teach or suggest depositing a first film through anisotropic growth.

The Examiner continued to allege that the Tateoka et al. reference discloses depositing a first film through anisotropic growth. The Examiner referred to column 6, lines

10/763,337
DOCKET NO. NEC03P248-HSe

2

21-30 of the Tateoka et al. reference in an attempt to support the Examiner's allegation.

However, contrary to the Examiner's allegation, column 6, lines 21-30 of the Tateoka et al. reference very clearly disclose "depositing a first insulating film by isotropic deposition."

The Examiner was very clearly ignoring the repeated and multiple other references which are cited by the Applicant which makes it VERY clear that the Tateoka et al. reference discloses depositing a first insulating film by isotropic deposition and not by anisotropic growth as claimed.

The Examiner also ignored the fact that the Tateoka et al. reference was specifically corrected on August 18, 1992, with a Certificate of Correction, which makes it very clear that the Tateoka et al. reference discloses depositing a first insulating film by isotropic deposition and not by anisotropic growth as claimed.

However, the Examiner admitted that she was not clear as to the proper interpretation of a Certificate of Correction. Applicant's representative suggested that the Examiner consult with the Examiner's Supervisor.

The Examiner agreed.

On May 15, 2006, the Examiner contacted Applicant's representative and acknowledged that the rejection based upon the Tateoka et al. reference was improper and indicated that the rejections in the April 24, 2006, Office Action would be withdrawn.

6. No other pertinent matters were discussed.

7. Results of the Interview:

The Examiner agreed to withdraw the rejections in the April 24, 2006, Office Action.

Should the Examiner find the Application to be other than in condition for allowance,

10/763,337
DOCKET NO. NEC03P248-HSe

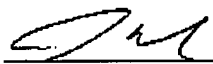
3

the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 5/17/06

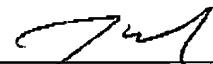


James E. Howard
Registration No. 39,715

McGinn Intellectual Property Law Group, PLLC
8321 Old Courthouse Rd., Suite 200
Vienna, Virginia 22182
(703) 761-4100
Customer No. 21254

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that I am filing this Response and Applicant's Interview Summary by facsimile with the United States Patent and Trademark Office to Examiner Thanh Y. Tran, Group Art Unit 2822 at fax number (571) 273-8300 this 17th day of May, 2006.



James E. Howard
Registration No. 39,715

LAW OFFICES OF
McGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC

A PROFESSIONAL LIMITED LIABILITY COMPANY
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW
8321 OLD COURTHOUSE ROAD, SUITE 200
VIENNA, VIRGINIA 22182-3817
TELEPHONE: (703) 761-4100
FACSIMILE/DATA: (703) 761-2375; 761-2376
E-MAIL: MCGINN@GIBB @ AOL.COM / ADMIN @ MCGINNIPLAW.COM
SENDER'S E-MAIL: JHOWARD@ MCGINNIPLAW.COM

SEAN M. MCGINN
PHILLIP E. MILLER†
FREDERICK E. COOPERRIDER†
JAMES E. HOWARD†
JOHN J. DRESCH
SCOTT M. TULINO
J. BRADLEY WRIGHT†
DONALD J. LECHER
PETER F. MCGEE†
†MEMBER OF BAR OTHER THAN VA

May 17, 2006

VIA FACSIMILE
(Total No. of Pages Transmitted: 4)

To: Examiner Thanh Y. Tran
Group Art Unit: 2822
U.S.P.T.O.

Facsimile No.: (571) 273-8300

From: James E. Howard

Facsimile No.: (703) 761-2375 or 76

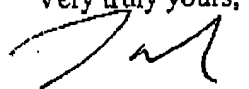
Re: Enclosed Response and Applicant's Interview Summary
U.S. Patent Application Serial No. 10/763,337
Reference No. NEC03P248-HSe

Dear Examiner Tran:

Enclosed for filing is a Response and Applicant's Interview Summary in response to the Office Action mailed on April 24, 2006, in the above-referenced application.

Thank you in advance for your kind consideration on this case.

Very truly yours,


James E. Howard

JEH/geb
Enclosures